THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 18829 OF 2006

Dated 22nd February, 2007

Between:

Vivekananda Centenary High School,
Vijayawada.

…Petitioner.

And

State of Andhra Pradesh, represented by
its Secretary to Government, School Education
Department, Secretariat, Saifabad,
Hyderabad and others.

…Respondents.

ORAL ORDER:

In this writ petition, the petitioner – High School seeks a writ of mandamus to declare the action of the respondents in not paying the due maintenance grant to the petitioner as per its eligibility in terms of G.O.Ms.No.320 dated 16.9.1994.

The Government issued G.O.Ms.No.320, Education (PS-2) Department, dated 16.9.1994 fixing the following percentages of the teaching grant as Maintenance Grant payable to Private Educational Institution for each financial year from 1st April, 1978:

From 1.4.1978 to 31.3.1986 - 4.5%

From 1.4.1986 to 31.3.1992 - 3%

From 1.4.1992 onwards - 2%

For the period in dispute, though certain amounts were paid totalling to Rs. 1,26,559/-, it is the grievance of the petitioner-school that as per the percentages fixed in the above G.O., it is entitled for Rs.4,95,063.04 and after deducting the grant already released to the petitioner, still a balance of Rs. 3,68,504.04 is payable.

In the counter affidavit filed on behalf of the respondents, it is stated that after representation is made, without giving any breathing time, the petitioner has approached this court. It is further stated that the 3rd respondent submitted a report to the 2nd respondent with a request to release an amount of Rs. 3,65,917/- towards maintenance grant pertaining to the period from 1981-82 to 2004-05 and the same was sent to the audit department for inspection on proposals claimed by the petitioner-school and the second respondent will take action immediately after receiving the report from the audit wing on the claim of the petitioner.

Inasmuch as the proposals were already submitted by the 3rd respondent and as it is stated that the same was sent to audit department for inspection on proposals, I dispose of the writ petition directing the respondents to complete the process of determining the balance amount of maintenance grant payable to the petitioner as per G.O.Ms.No.320, Education (PS-2) Department, dated 16.9.1994 and take necessary steps for payment of the balance amount within a period of two months from today.

Subject to above direction, the writ petition is disposed of. No costs.

_____

22.2.2007

R.SUBHASH REDDY, J.

VR